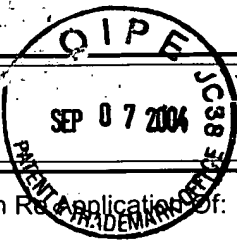


3627  
JFW



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
03-006

In Re Application of: **MUELLER et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/770,385	February 2, 2004	Not Yet Assigned	22927	3627	1144

Title:

**DIGITAL ADVERTISEMENT BOARD IN COMMUNICATION WITH POINT-OF-SALE TERMINALS**

COMMISSIONER FOR PATENTS:

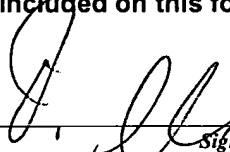
Transmitted herewith is:

Request for Corrected Filing Receipt, 3 pp.; (last page x2); Copy of Response to first Request for Corrected Filing Receipt, 2 pp.; Red-lined Copy of Updated Filing Receipt, dated June 3, 2004, 2 pp.;  
Copy of first page of referenced Utility Patent Application, 1 pg.; Copy of Declaration and Power of Attorney for Patent Application, 4 pp.;  
Copy of first page of Utility Patent Application, 10/403,184, 1 pg.; and Return Receipt Postcard.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0271** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

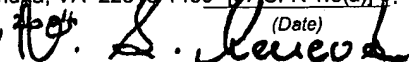
Dated: September 3, 2004

**Michael D. Downs**  
Attorney for Applicants  
PTO Registration No. 50,252  
Walker Digital, LLC  
203.461.7292/phone  
203.461.7300/fax

Mdowns@walkerdigital.com

CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22316-1450" [37 CFR 1.8(a)] p.

Sept. 3, 2004  (Date)

Signature of Person Mailing Correspondence

**Veronika S. Leliever**

Typed or Printed Name of Person Mailing Correspondence

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO.: 22927

Applicants: MUELLER et al.

Application Serial No.: 10/770,385

Filing Date: February 2, 2004

Title: **DIGITAL ADVERTISEMENT BOARD IN COMMUNICATION  
WITH POINT-OF-SALE TERMINALS**

Attorney Docket No: 03-006

Group Art Unit: 3627

Examiner: Not Yet Assigned

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231**SECOND REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

Applicants respectfully request that the filing receipt for the above-identified patent application be corrected to reflect the following:

Please correct the Priority Data as claimed by applicant to read:

“THIS APPLICATION IS A CIP OF 10/403,184 03/28/2003  
which claims benefit of 60/444,250 01/31/2003  
and claims benefit of 60/369,108 03/29/2002

The requested correction has been indicated in red on the enclosed copy of the official Filing Receipt.

In support of this request, applicants have enclosed copies of the first page of the Utility Patent Application which was filed on February 2, 2004 and Declaration and Power of Attorney for Patent Application, which clearly indicate the Domestic Priority data as claimed by Applicant. Please issue a corrected Filing Receipt in due course.

**REMARKS**

On July 27, 2004, Applicants requested the above correction to be made, which was followed up by the USPTO Response to Request for Corrected Filing Receipt dated August 27, 2004. (Copy enclosed).

In response to USPTO's Response to Request for Corrected Filing Receipt, Applicants respectfully note that the filing date of the Provisional Patent Application Serial No. 60/444,250 was correctly indicated as January 31, 2003 on this Utility Patent Application No. 10/770,385, as well as on the Declaration and Power of Attorney pertaining to the same application.

This application is a CIP of Application Serial No. 10/403,184 filed March 28, 2003 and it claims benefit of U.S. Provisional Patent Applications No. 60/369,108 filed March 29, 2002, and 60/444,250 filed January 31, 2003.

Accordingly, Applicants respectfully request the correction of the Priority Data as claimed by applicant.

Applicants believe no fee is due. Please charge any fees that may be required for this Request, or credit any overpayment to Deposit Account No. 50-0271. Order No. 03-006. The Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or to credit any overpayment, to Deposit Account No. 50-0271. Order No. 03-006. A duplicate copy of this authorization is attached for such purpose.

Please charge any fees that may be required for this Request, or credit any overpayment to Deposit Account No. 50-0271. Order No. 03-006. The Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or to credit any overpayment, to Deposit Account No. 50-0271. Order No. 03-006. A duplicate copy of this authorization is attached for such purpose.

**Petition for Extension of Time to Respond**

Applicants do not believe an extension of time is required with this response. However, if an extension of time should be due, Applicants hereby petition for such extension of time with which to respond to the Office Action. Please charge any additional fees that may be required for this Response, or credit any overpayment to Deposit Account No. 50-0271.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,



September 3, 2004  
Date

Dean P. Alderucci  
Attorney for Applicants  
Walker Digital, LLC  
Registration No. 40,484  
(203) 461-7337 /direct  
(203) 461-7300 /fax  
Alderucci@walkerdigital.com

**COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/770,385	02/02/2004	3627	915	03-006	17	43	9

22927  
 WALKER DIGITAL  
 FIVE HIGH RIDGE PARK  
 STAMFORD, CT 06905



CONFIRMATION NO. 1144

## UPDATED FILING RECEIPT



\*OC000000012861479\*

Date Mailed: 06/03/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Raymond J. Mueller, Weston, CT;  
 Andrew S. Van Luchene, Santa Fe, NM;

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/403,184 03/28/2003  
 which claims benefit of 60/444,250 01/30/2003  
 and claims benefit of 60/369,108 03/29/2002

01/31/2003

(\*)Data provided by applicant is not consistent with PTO records.

## Foreign Applications

If Required, Foreign Filing License Granted: 05/03/2004

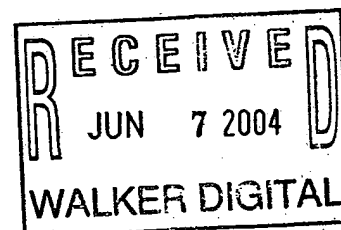
Projected Publication Date: 09/09/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title



Digital advertisement board in communication with point-of-sale terminals

**Preliminary Class**

705

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

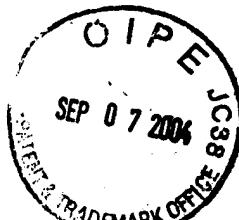
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST-NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/770,385	02/02/2004	Raymond J. Mueller	03-006

22927  
 WALKER DIGITAL  
 FIVE HIGH RIDGE PARK  
 STAMFORD, CT 06905

**COPY**

CONFIRMATION NO. 1144

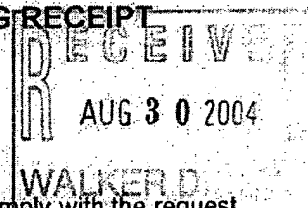


\*0000000013659845\*

Date Mailed: 08/27/2004

**RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT**

Claims, Fees, and Inventors

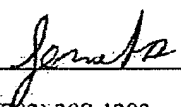


In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16 (e) for filing an oath/declaration or basic filing fee after the application filing date; or it may not reflect fees refunded to the applicant that were paid by mistake.
- ☐ The number of claims reflected on the filing receipt is correct. Upon review of the claims, it was found that there was a miscalculation by the applicant. This may be due to improperly presented multiple dependent claims, typographical error, misnumbering of the claims, or other oversight. An amendment may be necessary to correct the problem.
- ☐ The filing fee reflected on the filing receipt is correct. Applicant may have miscalculated the fees due.
- ☐ Applicant calculated fees as other than small entity; however, applicant asserted small entity status in the application. Therefore, fees were applied as small entity and the remainder was refunded to the applicant.
- ☐ The difference between the fees paid and the fees due was refunded to the applicant and will not be shown on the filing receipt.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).

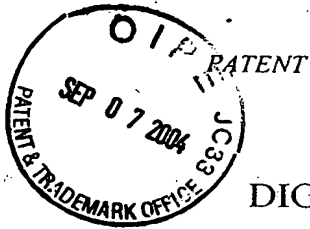
- ☐ The inventor's residence allows for up to 40 characters (letters and spaces combined).
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).
- ☐ A petition to correct the inventorship is needed to make this change. See 37 CFR 1.48. For non-provisional applications, the petition should be directed to the Director of the examining group assigned to your application.
- ☐ Changes made after submission of an executed declaration to the inventor information other than correction of typographical errors must be submitted in the form of a substitute declaration. Change of inventorship requires a petition under 37 CFR 1.48.
- ☐ The number of drawings shown on the filing receipt reflects the number of drawing sheets submitted and is not necessarily equal to the number of figures submitted.
- ☐ The correspondence address was captured as directed by applicant on filing. If you wish correspondence to be directed otherwise, please submit a request for a change of address.
- ☐ The docket number allows a maximum of 25 characters.
- ☐ The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.
- ☒ The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.

*There are no date changes necessary in the application.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY





**COPY**

Attorney Docket No.: 03-006  
Express Mailing Label No.: EL985254643US

## DIGITAL ADVERTISEMENT BOARD IN COMMUNICATION WITH POINT-OF-SALE TERMINALS

[0100] The present Application:

- (i) claims the benefit of U.S. Provisional Patent Application Serial No. 60/444,250, filed January 31, 2003, entitled "IMPROVED DIGITAL ADVERTISEMENT BOARDS WITH FULL CONNECTIVITY TO POINT-OF-SALE TERMINALS"; and
- (ii) is a continuation-in-part of U.S. Patent Application No. 10/403,184, filed March 28, 2003, entitled "METHOD AND APPARATUS FOR MANAGING AND PROVIDING OFFERS"; which claims the benefit of U.S. Provisional Patent Application No. 60/369,108, filed March 29, 2002, entitled "OFFER MANAGER SYSTEM."

The entirety of each of the Applications above is incorporated by reference herein for all purposes.

## CROSS-REFERENCE TO RELATED APPLICATIONS

[0101] The present Application is related to each of the following commonly-owned, co-pending U.S. Patent Applications:

- (i) U.S. Patent Application No. 09/990,821, filed November 21, 2001, entitled "SYSTEM AND METHOD PROVIDING A RESTAURANT MENU DYNAMICALLY GENERATED BASED ON REVENUE MANAGEMENT INFORMATION";
- (ii) U.S. Patent Application No. 09/993,228, filed November 14, 2001, entitled "METHOD AND APPARATUS FOR DYNAMIC RULE AND/OR OFFER GENERATION"; and
- (iii) U.S. Patent Application No. 09/603,677, filed June 26, 2000, entitled "METHOD AND APPARATUS FOR SELECTING A SUPPLEMENTAL PRODUCT TO OFFER FOR SALE DURING A TRANSACTION."

**COPY**

Docket No.

03-006

**Declaration and Power of Attorney For Patent Application****English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**DIGITAL ADVERTISEMENT BOARD IN COMMUNICATION WITH POINT-OF-SALE TERMINALS**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on February 2, 2004 as United States Application No. or PCT International Application Number 10/770,385 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>



POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office  
(list name and registration number)

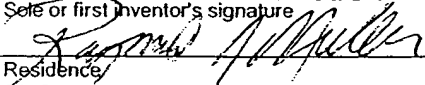
Dean P. Alderucci (Reg. Number 40,484)  
 Michal D. Downs (Reg. Number 50,252)  
 Magdalena M. Fincham (Reg. Number 46,085)  
 Steven M. Santisi (Reg. Number 40,157)  
 Geoffrey M. Gelman (Reg. Number 51,727)

CUSTOMER NO. 22927

Send Correspondence to:

Michael D. Downs  
 Five High Ridge Park  
 Stamford, CT 06905

Direct Telephone Calls to: (name and telephone number)  
 Michael D. Downs (203) 461-7292

Full name of sole or first inventor Raymond J. MUELLER	
Sole or first inventor's signature 	Date March 8 <del>February</del> , 2004
Residence 89 Catbrier Road, Weston, CT 06883	
Citizenship U.S.A.	
Post Office s/a	

Full name of second inventor, if any Andrew S. VAN LUCHENE	
Second inventor's	Date February, 2004
Residence 298 Elizabeth, 5th Floor, New York, NY 10012	
Citizenship U.S.A.	
Post Office s/a	

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Dean P. Alderucci (Reg. Number 40,484)  
 Michal D. Downs (Reg. Number 50,252)  
 Magdalena M. Fincham (Reg. Number 46,085)  
 Steven M. Santisi (Reg. Number 40,157)  
 Geoffrey M. Gelman (Reg. Number 51,727)

**CUSTOMER NO.** 22927

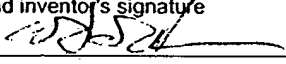
Send Correspondence to:

Michael D. Downs  
 Five High Ridge Park  
 Stamford, CT 06905

Direct Telephone Calls to: *(name and telephone number)*

Michael D. Downs (203) 461-7292

Full name of sole or first inventor <b>Raymond J. MUELLER</b>	
Sole or first inventor's signature	Date <b>February 23, 2004</b>
Residence <b>89 Catbrier Road, Weston, CT 06883</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>s/a</b>	

Full name of second inventor, if any <b>Andrew S. VAN LUCHENE</b>	
Second inventor's signature 	Date <b>February 23, 2004</b>
Residence <b>229A Johnson Street, Santa Fe, NM 87501</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>s/a</b>	



PATENT

**COPY**

Express Mailing Label No.: EV245633105US  
Attorney Docket No.: 02-011

## METHOD AND APPARATUS FOR MANAGING AND PROVIDING OFFERS

This application claims the benefit of priority of the following U.S.

### Provisional Patent Applications:

- 5 U.S. Provisional Patent Application No. 60/369,108, filed March 29, 2002, entitled "OFFER MANAGER SYSTEM";
- U.S. Provisional Patent Application No. 60/444,250, filed January 31, 2003, entitled "IMPROVED DIGITAL ADVERTISEMENT BOARDS WITH FULL CONNECTIVITY TO POINT-OF-SALE TERMINALS".
- 10 The entirety of each of the above applications is incorporated by reference herein for all purposes.

### CROSS REFERENCE TO RELATED APPLICATIONS

- The present application is related to the following commonly-owned, co-
- 15 pending U.S. Patent Applications:
- U.S. Patent Application No. 09/603,677, filed June 26, 2000, entitled "METHOD AND APPARATUS FOR SELECTING A SUPPLEMENTAL PRODUCT TO OFFER FOR SALE DURING A TRANSACTION"; and
- U.S. Patent Application No. 09/993,228, filed November 14, 2001, entitled
- 20 "METHOD AND APPARATUS FOR DYNAMIC RULE AND/OR OFFER GENERATION".

The entirety of each of the above applications is incorporated by reference herein for all purposes.

### 25 BACKGROUND

It is well known that a merchant may make an offer to a customer, and that there are benefits to making an offer to a customer. Many types of offers may be made, different numbers of offers may be made, and offers may be made at various times.

- 30 Managing the provision of offers, if attempted, would be extremely difficult and if done inefficiently, could result in reduced advantages or other detriments. Consequently merchants have settled for extremely simplistic systems